

REMARKS

Claims 28-43 are pending in the present application. Claims 1-27 were previously canceled. Claims 28 and 41 have been amended without commenting on or conceding the merits of the rejection of these claims, and without prejudice against pursuing these claims in unamended or other forms in a continuation or other type of application. The status of the claims set forth in the Office Action dated May 21, 2007, is as follows:

- (A) Claims 28-30, 34, 35, and 37-42 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,875,998 ("Gleine");
- (B) Claims 31-33 and 36 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Gleine in view of U.S. Patent No. 7,007,897 ("Wingett"); and
- (C) Claim 43 was rejected under 35 U.S.C. § 103(a) as being unpatentable over Gleine in view of U.S. Patent No. 4,189,120 ("Wang").

The undersigned attorney would like to thank Examiner Behncke for participating in a telephonic Examiner Interview on August 13, 2007. This paper constitutes the applicant's summary of this Interview. If the Examiner notes any deficiencies with regard to this summary, the Examiner is encouraged to contact John Wechkin at (206) 359-3257.

During the Interview, the pending claims and cited references were discussed. Although no formal agreement was reached, the parties agreed that the clarifying language in amended independent claims 28 and 41 appears to overcome the rejections based on the cited references because none of the references, singularly or in combination, teach or suggest a plurality of control surfaces and a plurality of actuator mechanisms, wherein each actuator mechanisms has an approximately identical control capability, wherein each actuator mechanism is coupled to a control surface to actively position the corresponding control surface in response to command signals, and wherein the plurality of actuator mechanisms are the only actuator mechanisms coupled to the control surfaces to actively

move the control surfaces in response to the command signals. Accordingly, for at least this reason, the rejection of these claims should be withdrawn. Additionally, claims 29-40 and 42-43 depend from these claims, respectively. Therefore, for at least this reason and for the additional features of these claims, these claims are also allowable.

In view of the foregoing, the pending claims comply with 35 U.S.C. § 112 and are patentable over the applied art. The applicant accordingly requests reconsideration of the application and a Notice of Allowance. If the Examiner has any questions or believes a telephone conference would expedite prosecution of this application, the Examiner is encouraged to call the John Wechkin at (206) 359-3257.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 50-0665, under Order No. 030048133US from which the undersigned is authorized to draw.

Dated: 17 Aug 2007

Respectfully submitted,

By T-R Seeley
Tim R. Seeley
Registration No.: 53,575
PERKINS COIE LLP
P.O. Box 1247
Seattle, Washington 98111-1247
(206) 359-8000
(206) 359-7198 (Fax)
Attorney for Applicant